

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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OMARI FELL,

Plaintiff,

-against-

NASSAU COUNTY SHERIFF MICHAEL
SPOSATO; ARMOR CORRECTIONAL
HEALTH, INC.; and VARIOUS NURSES/
DOCTORS,

Defendants.
-----x

FEUERSTEIN, J.

MEMORANDUM AND ORDER

11-CV-5059 (SJF)(AKT)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ MAY 23 2012 ★

LONG ISLAND OFFICE

On October 12, 2011, incarcerated *pro se* plaintiff Omari Fell ("plaintiff") filed a complaint pursuant to 42 U.S.C. § 1983 ("Section 1983") against defendants Acting Nassau County Sheriff Michael Sposato ("Sposato"), Armor Correctional Health, Inc., and unnamed nurses and doctors at the Nassau County Correctional Center ("NCCC"), accompanied by an application to proceed *in forma pauperis*. By order dated February 15, 2012, plaintiff's application to proceed *in forma pauperis* was granted and the complaint was *sua sponte* dismissed with prejudice pursuant to 28 U.S.C. §§ 1915A and 1915(e)(2)(B) unless plaintiff filed an amended complaint in accordance with that order on or before March 19, 2012. On February 21, 2012, the Clerk of the Court served notice of entry of the order upon plaintiff by mailing a copy thereof to his address of record pursuant to Rule 5(b)(2)(C) of the Federal Rules of Civil Procedure. To date, plaintiff has not filed an amended complaint in accordance with the February 15, 2012 order, nor sought an extension of time to do so. Accordingly, for the reasons set forth in the February 15, 2012 order, the complaint is dismissed with prejudice. The Clerk of the Court is directed to close this case and, pursuant to Rule 77(d)(1) of the Federal Rules of Civil Procedure, to serve notice of entry of this order upon all parties,

including mailing a copy of this order to plaintiff at his last known address in accordance with Rule 5(b)(2)(C) of the Federal Rules of Civil Procedure.

The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

SANDRA J. FEUERSTEIN
United States District Judge

Dated: May 23, 2012
Central Islip, New York